



A Voice for Nurses. A Vision for Healthcare.



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January 28, 2016

Hilda L. Solis, Chair, Los Angeles County Board of Supervisors
Supervisor, First District
500 West Temple Street, Room 856
Los Angeles, CA 90012
Via email to FirstDistrict@bos.lacounty.gov and EPR@LACOUNTY.GOV

RE: Support for Los Angeles County Pharmaceuticals and Sharps EPR Ordinance

Dear Chair Solis:

I am writing on behalf of the 186,000 nurses of California Nurses Association (CNA) to express our strong support of Los Angeles County's efforts to craft an Extended Producer Responsibility (EPR) ordinance for pharmaceuticals and sharps. Our patients in L.A. County need a safe and convenient take-back system for their unwanted medications and medical sharps. Ensuring easy access to collection sites providing secure and environmentally sound disposal of leftover medicines and sharps will reduce risks of medicine abuse and poisonings, help prevent dangerous and costly needle sticks, and protect our waterways and environment. We strongly support the language of the 1/5/2016 draft "Pharmaceutical and Sharps Collection and Disposal Stewardship Ordinance", and urge the county to adopt this legislation.

We especially support the following strengths of the 1/5/2016 draft ordinance.

1. **Residents throughout the county will have access to a secure collection system** for all unwanted medications and sharps used in the home, with convenient collection sites distributed throughout the county, as well as options for prepaid mailers upon request.
2. **All unwanted medications used in homes, for people and pets, will be accepted**, both prescription and over-the-counter, and including prescription drugs that are controlled substances.
3. **Manufacturers of medicines and sharps have the primary responsibility for secure collection and safe disposal of their products as a cost of doing business.** Visible fees cannot be charged to consumers at point of purchase or at disposal. This approach recognizes that industry has a key role in managing the society impacts and end-of-life consequences of their products, and that externalizing all the costs onto other stakeholders and local governments is not fair or sustainable. Manufacturers can include the modest cost of a safe take-back program – a penny for every \$10 prescribed as stipulated in the Alameda Supreme Court case – in the cost of medicines and sharps without significantly impacting consumers.
4. **Security protections are required** that will give consumers confidence that the take-back system for their leftover medications and sharps is safe and confidential.
5. **Manufacturers must promote the stewardship program to residents and the health care community, and expressly discourage the stockpiling of unwanted pharmaceuticals/sharps and discourage disposal into the trash or by flushing into a sewer.**

6. **The ordinance requires secure handling and environmentally sound disposal of all collected pharmaceuticals and sharps** in compliance with all relevant state and federal regulations.
7. **The stewardship plan review process includes public comment opportunities** and gives the county the option of forming a technical advisory committee to assist with plan review to ensure local stakeholders are heard in the planning process.
8. **The ordinance has a clear definition for “Responsible Steward” that focuses responsibility on the manufacturer of the medicine or sharp**, and also clearly defines who the county can hold responsible as the steward if the manufacturer cannot be identified.

We appreciate the County’s transparent process for stakeholder input during the development of this ordinance. We know that there have been previous comments in support of a draft released on 11-10-2015 and, prior to that, submissions of a list of thirteen key elements of a properly constructed ordinance. County staff have done an excellent job in crafting this policy and in addressing stakeholder comments and we believe this ordinance is the best available and learned lessons from the other counties who have passed these ordinances including Alameda, San Francisco, San Mateo, Santa Clara, Marin, and Santa Cruz in CA and King County Washington.

We commend Los Angeles County for taking action to address the serious problems faced by families and communities due to leftover pharmaceuticals and sharps. Pharmaceutical manufacturers already provide medicine take-back programs in other countries, including France, Spain, Mexico, Brazil and most provinces in Canada and for sharps in the Canadian province of Ontario. We urge the county to enact this EPR stewardship ordinance to provide this key public health and environment health service to our patients and LA residents as soon as possible.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Don Nielsen', with a stylized, cursive script.

Don Nielsen
Director, Government Relations